216/16

SLOVER & LOFTUS

ATTORNEYS AT LAW

1224 SEVENTEENTH STREET, N. W. WASHINGTON, D. C. 20036-3003

> TELEPHONE: (202) 347-7170

FAX: (202) 347-3619

WRITER'S E-MAIL:

April 3, 2006

Office of Proceedings

APS 0 - 2008

Part of Public Record cam@sloverandloftus.com

KENDRA A. ERICSON OF COUNSEL DONALD G. AVERY

PETER A. PFOHL DANIEL M. JAFFE

WILLIAM L. SLOVER

C. MICHAEL LOFTUS JOHN H. LE SEUR

ROBERT D. ROSENBERG

CHRISTOPHER A. MILLS FRANK J. PERGOLIZZI

ANDREW B. KOLESAR III

KELVIN J. DOWD

VIA HAND DELIVERY

Surface Transportation Board Attn: STB Ex Parte No. 661 1925 K Street, N.W. Washington, D.C. 20423

Ex Parte No. 661, Rail Fuel Surcharges

Dear Secretary Williams:

Re:

This letter constitutes the Notice of Intent to Participate in the abovereferenced proceeding of Kennecott Utah Copper Corp. ("Kennecott").

Kennecott does not wish to participate in the oral hearing scheduled for May 11, 2006. However, it does intend to file a written submission, either on its own behalf or as part of a joint submission by a shipper group, to address its concerns with the structure and implementation of the railroads' fuel surcharges.

Sincerely,

Christopher A. Mills

An Attorney for Kennecott Utah Copper Corp.

CAM:jml